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Report of the Secretary-General on the United Nations Stabilization Mission in Haiti

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1542 (2004) of 30 April 2004, by which the mandate of the United Nations Stabilization Mission in Haiti (MINUSTAH) was established, and resolution 1576 (2004) of 29 November 2004, by which its mandate was extended until 1 June 2005. It covers major developments since my report of 18 November 2004 (S/2004/908).

2. MINUSTAH continues to be led by my Special Representative, Juan Gabriel Valdés; his Deputies, Hocine Medili and Adama Guindo; the Force Commander, Lieutenant General Augusto Heleno Ribeiro Pereira (Brazil); and the Civilian Police Commissioner, David Charles Beer (Canada).

II. Security situation

Deployment and operational activities

3. During the reporting period, the deployment of MINUSTAH troops continued, with troop strength reaching 6,013 as at 15 February 2005 out of a total authorized strength of 6,700 (see annex I). The civilian police component was also strengthened by the arrival of additional staff; as at 15 February 2005, the number of its personnel stood at 1,398 out of a total authorized strength of 1,622, comprising 648 civilian police officers and six formed police units with a combined strength of 750 (see annex II).

4. In my report of 18 November 2004, I informed the Council about the deteriorating security situation, mainly in the capital. Although the Transitional Government and MINUSTAH still face many challenges in this area, significant improvement has been achieved since late November 2004, with the increased military and civilian police manpower allowing MINUSTAH, in cooperation with the Haitian National Police (HNP), to conduct successful security operations, thus clearing the way towards improved stability.

5. On 14 December 2004, MINUSTAH troops and civilian police officers, jointly with HNP, launched a major operation to restore law and order in the shantytown of Cité Soleil in Port-au-Prince. The forces met little resistance, and no casualties were

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reported. The Mission, with HNP, has maintained a permanent presence in the two police stations and conducted extensive patrols. In addition to providing security to the local population, this operation has facilitated the partial resumption of daily activities, as well as the provision of humanitarian assistance, which had been paralysed by gang violence. MINUSTAH troops also distributed food and water and cleaned up the main streets. This successful operation was only the first step towards improving public security in Cité Soleil. Sporadic shooting, including against the Mission's positions, has been observed regularly since the establishment of a permanent presence in the area. A further step to ensure security was taken on 7 January 2005, when 96 suspects, including four identified gang members, were arrested and placed in HNP custody. During this operation, two MINUSTAH soldiers were wounded.

6. Meanwhile, MINUSTAH continued to pay particular attention to the poor district of Bel-Air, which had also been severely affected by gang violence. Since the establishment of a joint HNP/MINUSTAH post in October 2004, the Mission has maintained a strong presence in the area. On 5, 13 and 27 January 2005, three clean-up operations to remove accumulated waste that was restricting security patrols were launched by MINUSTAH, with the voluntary support of the local population. In the course of the last clean-up operation, medical consultations, and in some cases medication, were provided by MINUSTAH troops to several hundred local residents, including children and women. School kits were also distributed.

7. In December 2004, as the holiday season approached, there were warnings of a possible increase in violence by armed gangs associated with former President Aristide. At the same time, a number of kidnappings took place in the capital. To ensure a peaceful holiday season, MINUSTAH conducted its largest patrolling operation in Port-au-Prince to date, which involved 4,000 military and civilian police officers. This intensive patrolling resulted in a peaceful and secure environment, in which the population was able to enjoy the holidays without any major disturbance. A total of 41 suspects were arrested and six weapons seized. Rounds of ammunition of various calibres were also confiscated.

8. MINUSTAH also conducted operations targeting members of the former military to prevent or end some of their illegal activities in both the provinces and the capital. For instance, MINUSTAH helped the Transitional Government to enforce the prohibition of armed demonstrations. On 18 November 2004, the 201st anniversary of the Battle of Vertières, which led to Haiti's independence, the strong presence of MINUSTAH successfully prevented former soldiers from conducting a widely announced armed march through Port-au-Prince. The former soldiers cancelled the planned march because they refused to demonstrate without their weapons.

9. On 15 December 2004, a group of former soldiers illegally occupied the abandoned private residence of former President Aristide in the Port-au-Prince suburb of Tabarre. Upon learning of the occupation, the Transitional Government issued a communiqué outlawing "those who, in the name of the Haitian Army, seize official vehicles, circulate in military fatigues and carry heavy weapons, and occupy public and private buildings". At the request of the Transitional Government, MINUSTAH and HNP surrounded the residence in the early hours of 16 December. A delegation from the Transitional Government and another one composed of political parties and civil society leaders failed in their attempts to reach a

negotiated solution. As a result, MINUSTAH troops took over the residence on 17 December and disarmed the 43 individuals who occupied it (16 of whom were not demobilized soldiers) without firing any shots. The self-styled leader of the group had previously left the scene and remains at large. As requested by the Transitional Government, MINUSTAH troops took the 43 individuals to the Police Academy and handed over their weapons to the Haitian authorities.

10. In retaliation, former soldiers undertook a number of attacks on HNP officers and police stations in the regions where the former military still maintain a significant presence. MINUSTAH responded promptly by retaking control of HNP stations that had been seized by the former soldiers in Grand-Goâve, Mirebalais and Petit-Goâve. Former soldiers, however, are still present in the second police station in Petit-Goâve, where the situation remained volatile at the time of the issuance of the present report. HNP officers were successful in holding off an attack in Miragoâne, killing two former soldiers and injuring a third one. An attack on the Thomazeau police station was prevented by the rapid deployment of MINUSTAH troops. Demonstrations were held in Hinche and Petit-Goâve in support of the former military, during which stones were thrown at MINUSTAH troops. Media reports and contacts by the Mission indicated, however, that the majority of the population approved of MINUSTAH's actions.

11. Although the general security environment across Haiti has improved, the Mission's determination to take action against gang members and former soldiers has increased the risk of retaliation against MINUSTAH and other United Nations personnel. During the reporting period, a number of incidents targeting MINUSTAH personnel took place, including hostile fire and other aggressive acts encountered in the course of military and police operations. On 21 November 2004, a United Nations vehicle transporting 11 off-duty MINUSTAH military personnel in plain clothes was carjacked by armed men who forced the driver to enter Cité Soleil. All of the MINUSTAH personnel were released shortly thereafter and most of their belongings returned. Three of the assailants were later detained by MINUSTAH and handed over to HNP. On 10 January 2005, a clearly marked MINUSTAH ambulance was fired upon by unknown assailants in Port-au-Prince; no casualties were reported. Two days later, a MINUSTAH civilian police patrol came under heavy gunfire in Port-au-Prince. The vehicle was hit and disabled; the civilian police officers had to flee on foot, chased by a group of 12 heavily armed assailants. MINUSTAH and HNP reinforcements arrived quickly on the scene, and the civilian police officers were rescued uninjured. However, two innocent bystanders were wounded by the attackers.

Disarmament, demobilization and reintegration

12. The Transitional Government, despite assurances, has yet to publish a presidential decree establishing the national commission for disarmament, demobilization and reintegration, which would provide the national institutional framework for the implementation of disarmament, demobilization and reintegration programmes. Nonetheless, on 20 December, the Transitional Government announced the launching of a compensation programme for those members of the former military who were demobilized in 1995 and has made approximately $2.8 million available for this purpose. Governmental delegations travelled to Cap Haïtien, Les Cayes and Petit-Goâve to meet with former soldiers and to explain the

Government's proposed compensation programme. Despite their willingness to accept the indemnity they were offered, the former soldiers refused to disarm and demanded the creation of an interim security force. Interim President Alexandre reiterated that the possible reinstatement of the Haitian army would be examined by the next elected Government of Haiti. Payment of the first of three instalments to the demobilized soldiers began on 28 December 2004 and is expected to be completed in March 2005. MINUSTAH advised the Transitional Government that any further payments should be linked to disarmament and entry into the disarmament, demobilization and reintegration process, but no official position has yet been taken on this by the authorities.

13. The robust military and police operations of MINUSTAH in some of the most volatile areas have contributed to an improved environment conducive to the implementation of disarmament, demobilization and reintegration programmes. Preliminary discussions on these programmes have begun with gang members and community leaders, particularly in the poor districts of Port-au-Prince and Gonaïves.

14. The development of the disarmament, demobilization and reintegration programme is progressing through the activities of the Interim Cooperation Framework (ICF) Sectoral Round Table on Disarmament, which has held weekly meetings since October 2004. MINUSTAH and United Nations Development Programme (UNDP) activities are integrated in order to ensure that the disarmament, demobilization and reintegration programme responds to immediate peacekeeping and stabilization imperatives while ensuring long-term results. However, funding currently pledged for disarmament, demobilization and reintegration activities, including from ICF, remains very limited, and additional financial support from the Transitional Government and the international community is urgently needed.

Support for the rule of law and public security

15. The MINUSTAH civilian police have maintained their presence in the 10 administrative districts of Haiti and participated in joint patrols with HNP in the main cities throughout the country. The formed police units are present in Port-au-Prince, Les Cayes and Gonaïves. In view of the fragile security situation, MINUSTAH civilian police continued to focus on providing operational support to HNP.

16. As of February 2005, due to its increased strength, the MINUSTAH civilian police component has also been in a position to place greater emphasis on the training and capacity-building of HNP, through a co-location programme, which consists of mentoring, advising and assisting HNP at all levels. The training of 200 officers (185 men and 15 women) belonging to the fifteenth HNP class was completed; they graduated on 21 January 2005, together with 193 former military who are to be integrated into HNP. Currently, 38 civilian police advisers are deployed at the Police Academy to supervise and assist in the training of the sixteenth HNP class, consisting of 370 new recruits (355 men and 15 women), which started on 10 January 2005. The training programme for the cadets consists of four months at the Police Academy and two months at police stations. The training for HNP inspectors (96) and commissioners (25) began on 14 February. Field-service training has already been conducted for 285 HNP officers in Jacmel

(150 officers) and Jérémie (135 officers). Similar training sessions began in Hinche on 10 January 2005.

17. On 1 December, a riot took place at the National Penitentiary in Port-au-Prince, during which at least 10 prisoners died and 28 were wounded. The riot was the most violent prison incident since the establishment of the Transitional Government. A joint team of MINUSTAH human rights and civilian police officers visited the prison and the morgue to make an initial assessment. MINUSTAH civilian police investigators, along with investigators from the HNP General Inspectorate, conducted an examination of the crime scene and met witnesses, including current detainees and prisoners who have since been released.

18. My Special Representative, the Force Commander, the Police Commissioner and other senior staff continued to attend the weekly meetings of the Conseil supérieur de la police nationale, headed by the Prime Minister and composed of the Minister of Justice, the Minister of the Interior, the Secretary of State for Public Security, the HNP Director General and the HNP Inspector General. The main objective of MINUSTAH participation is to improve coordination and collaboration with senior government officials on security issues and institution-building activities related to HNP.

III. Political situation

19. Most political actors now appear to be in favour of a national dialogue and the holding of elections according to the calendar proposed by the Provisional Electoral Council (see para. 28 below). The interim President and the Prime Minister started the year by publicly renewing their firm commitment to ensuring a successful political transition through the holding of elections in 2005 and the peaceful handover to a democratically elected Government in February 2006.

20. In his 11 January address to the nation, the Prime Minister set out the Transitional Government's priorities for 2005. He invited all illegally armed groups to hand over their weapons and to participate in the process of reconstructing the country. The Prime Minister also requested the support of political parties to successfully conclude the transition process and specifically invited Fanmi Lavalas to participate in the elections. Throughout his address, the Prime Minister thanked MINUSTAH for its support for HNP and called on the international community to proceed with the disbursement of funds pledged during the International Donors Conference held in July 2004.

21. The Transitional Government continued to uphold the Consensus on the Political Transition Pact, signed on 4 April 2004. During the reporting period, the Consensus was signed by new political parties, including the Mouvement démocratique réformateur Haïtien and the Front pour la reconstruction nationale. The Prime Minister cited the Consensus as the framework within which he launched exploratory consultations on the national dialogue (see paras. 23-27 below) and established the Committee on Assistance for Victims of Violence. That Committee, installed on 26 November 2004, is tasked with providing assistance to those who have been wounded, lost relatives or been displaced because of their political beliefs. The commission created on 6 October 2004 to investigate the financial management of the Lavalas Government between February 2001 and February 2004 is continuing its activities.

22. On 3 February 2005, the Prime Minister reshuffled his Cabinet for the second time since the establishment of the Transitional Government. The Minister of the Interior and the Minister of Commerce, Industry and Tourism were replaced, and a Secretary of State for Tourism was appointed. The incumbent Minister of the Interior was appointed Foreign Minister.

National dialogue and reconciliation

23. On 6 December 2004, the Prime Minister addressed a letter to a leader of the Congrès national des mouvements démocratiques, a political party member of the Convergence démocratique, inviting him to contact "the various political, social and religious sectors, as well as interested personalities, in order to formally advance the process of national dialogue". An ad hoc group was set up (Groupe de réflexion et de promotion du dialogue national) and held a number of meetings and submitted a report, which has not been made public, to the Prime Minister on 31 December. Since then, interim President Alexandre has expressed his intention to personally launch the national dialogue.

24. Discussions among political actors and civil society continued on the issues of inclusiveness, structure and the timing of the dialogue in relation to the electoral process. Before the elections, the dialogue may focus on the development of an electoral code of conduct and a governance pact, without undermining a broader dialogue that would include discussions on the country's structural problems at all levels.

25. My Special Representative continued to conduct extensive consultations with several sectors throughout the country to discuss their approaches and proposals. A working paper, prepared by MINUSTAH, was submitted to the interim President and the Prime Minister for their consideration. The Mission has reiterated its readiness to support the process by organizing focus groups throughout the country, presenting case studies from other countries, preparing reports on specific issues and providing technical advice on the methodology of the dialogue. In addition, an agreement for the launching of a $1.7 million project to support national dialogue was signed by the Transitional Government, MINUSTAH and UNDP on 14 February 2005, during a ceremony held at the Office of the Prime Minister.

26. Relations between Fanmi Lavalas and the Transitional Government continued to be tense, despite the provisional release of several party leaders (see para. 37 below), while differences within Fanmi Lavalas itself have resulted in growing ambiguity regarding its legitimate representatives in Haiti. Some of its moderate members and leaders are considering joining the political transition process provided that certain demands, such as the release of members of the party still detained without charge, are met by the Transitional Government. They publicly condemned violence and attended meetings with other political parties and the international community, but were publicly disowned by popular organizations in Port-au-Prince and the Fanmi Lavalas' Communications Commission. They were also not included in the 19-member commission created by Fanmi Lavalas on 16 December 2004 (the anniversary of former President Aristide's first presidential election victory in 1990). According to a press release, this commission only, headed by former President Aristide himself, would be allowed to engage in political discussions on behalf of Fanmi Lavalas.

27. On 1 January 2005, interim President Alexandre addressed the nation from Gonaïves during the commemoration of the 201st anniversary of Haiti's independence. Sparking mixed reactions from political leaders, he extended his hand in a gesture of peace to former President Aristide and urged him to publicly distance himself from the violence of his armed supporters. In his address, the interim President also announced high-level diplomatic missions to seek the political support of the Caribbean Community, Venezuela and South Africa for the process. On 18 and 19 December 2004, the Chairman of the Commission of the African Union, Alpha Oumar Konaré, visited Haiti. A month later he met South African President Thabo Mbeki and former President Aristide in Pretoria and declared that the African Union would like to contribute to the creation of a framework for inclusive and non-violent national dialogue.

Preparations for elections

28. Following the resignation of its former President on 8 November 2004, the Provisional Electoral Council (CEP) was brought back to full membership with the swearing in of the new representative of the Catholic Church on 6 January 2005. The presidential decree adopting the new electoral law was published by the Transitional Government on 11 February 2005. The law was drafted by CEP and was discussed with political parties and civil society before being presented to the interim President and the Prime Minister. In January 2005 CEP presented to the Transitional Government a proposed electoral calendar that provides for local elections on 9 October 2005 and the first round of parliamentary and presidential elections on 13 November, with the possibility of a second round on 18 December. The proposed calendar allows for an elected Parliament to be installed on 9 January 2006 and an elected President to be sworn in on 7 February 2006.

29. The work of CEP has been enhanced through training programmes. In cooperation with the Organization of American States (OAS), MINUSTAH helped to organize a training workshop for CEP members, which was conducted and hosted by the Federal Electoral Institute of Mexico from 21 to 27 November 2004. Members of electoral institutions from the Dominican Republic, El Salvador, Panama and Venezuela also participated in providing relevant training.

30. Resource requirements for the elections have been determined by CEP in coordination with MINUSTAH and OAS. On 10 January 2005, a global funding agreement for a total of $44.3 million was signed between the Transitional Government, CEP, MINUSTAH and UNDP. The Government of Canada contributed 17 million Canadian dollars and the Government of the United States of America $9.4 million to the OAS voter registration programme. The European Union and the Transitional Government pledged €10 million and $2.9 million, respectively. UNDP contributed $400,000. This will allow CEP to prepare for the elections with activities such as infrastructure rehabilitation for voter registration offices and the purchase of vehicles and office equipment. Funding, however, remains a concern. Not only is there a shortfall of $5.6 million in the amount pledged to the global funding agreement, but the budget on which the agreement was based will be insufficient to allow CEP to carry out fully its necessary activities. Discussions are ongoing between CEP, MINUSTAH, OAS and donors to review the budget, determine the additional amount required and identify appropriate mechanisms to provide the required financial support. The Prime Minister stressed the importance

of providing financial assistance not only to CEP, but also to political parties so that they may have the means to participate in the elections.

31. An operational plan of activities has been prepared jointly by CEP, OAS and MINUSTAH. OAS and CEP have invited tenders for the procurement of voter registration equipment; the registration exercise is scheduled to begin in April 2005. MINUSTAH military, civilian police and security components have established an Electoral Security and Operations Task Force, which includes a risk-analysis team. The Task Force will be responsible for developing a global security and logistical plan.

32. On 4 February 2005 a memorandum of understanding was signed between UNDP and the United Nations Office for Project Services (UNOPS) for the conduct of a three-week-long security and logistical assessment mission under the leadership of MINUSTAH and with the participation of CEP and OAS. The mission, launched on 9 February, consists of the deployment of 15 teams that are conducting extensive regional visits to evaluate the security and logistical conditions for the elections. The final mission report will be presented on 15 March 2005.

Restoration of State authority and strengthening of public administration

33. As previously reported, almost all municipal councils have been appointed by the Transitional Government. During the reporting period, several of their members resigned in order to be able to run in the upcoming local elections, thus hindering efforts to resume the provision of public services to the population. Resignations were also announced within the Ministry of the Interior in December 2004, affecting units responsible for local administration and good governance. However, new teams have been put in place, and MINUSTAH, together with UNDP, the Office of the Prime Minister and local authorities, continued to work in the area of decentralization to ensure a smooth transition after the elections of 2005.

IV. Human rights

34. During the reporting period, the human rights situation remained of great concern despite the improving security situation. Armed gangs continued to carry out acts of violence in Port-au-Prince. Former soldiers continued to unlawfully arrest and detain civilians and run illegal detention centres in some localities, such as Petit-Goâve, Hinche and Lascahobas. National and international human rights organizations also denounced alleged cases of arbitrary arrest, wrongful detention, ill-treatment and extrajudicial killings.

35. Among the reported cases is that of a resident of Bel-Air who was apprehended in the course of a joint MINUSTAH/HNP operation on 5 January 2005 and remained in HNP custody. This person was later found dead at the morgue on 13 January, and police authorities told MINUSTAH that the detainee had been released on 12 January. Human rights groups have also reported the killing of a journalist, allegedly at the hands of HNP during a police operation conducted in the Village de Dieu district of Port-au-Prince on 14 January. The responsibility of HNP

officers in these cases has not been established. MINUSTAH human rights and civilian police officers are currently investigating these allegations.

36. Also of concern was the 1 December 2004 riot at the National Penitentiary, which is being investigated by MINUSTAH (see para. 17). Human rights organizations, which have conducted initial investigations, denounced the deaths as having resulted from excessive use of force. These organizations have called for an independent commission of inquiry, and the Prime Minister has expressed his willingness to proceed with its establishment, but no concrete action has been taken so far.

37. Civil society groups and human rights organizations continued to express their dissatisfaction with the shortcomings in the administration of justice and the culture of impunity still prevalent in Haiti. The provisional release of some Fanmi Lavalas leaders, who had been held without formal charges or trial, was a positive step towards respect for human rights and the rule of law. Those released included Father Gérard Jean-Juste (on 29 November 2004), Senator Yvon Feuillé, former Member of Parliament Rudy Hérivaux and party activist Lesly Gustave (all on 23 December 2004). However, others, including former Prime Minister Yvon Neptune, remain in detention awaiting the judicial authorities' rulings on their cases.

38. In coordination with the civilian police component, MINUSTAH human rights officers visited prisons and police stations, followed up and documented a number of individual cases, including sensitive cases of detention, and held interviews with victims of human rights violations and their relatives. They also participated in the preliminary investigation into the circumstances of the riot at the National Penitentiary and continued to provide advice to my Special Representative on human rights issues.

39. The independent expert on the situation of human rights in Haiti, Louis Joinet, conducted a mission to the country from 6 to 17 November 2004. Mr. Joinet met with representatives of the Transitional Government, MINUSTAH and civil society organizations, visited several detention centres in Port-au-Prince and conducted field visits to Gonaïves and Fort Liberté. He will present his report to the next session of the Commission on Human Rights in April 2005.

Child protection

40. MINUSTAH and UNICEF, as well as national and international human rights organizations, drew attention to continued violence against children. According to witness testimony obtained by MINUSTAH, on 1 December 2004, while chasing suspected gang members, HNP officers shot at students inside a school near the Bel-Air district of Port-au-Prince, wounding several of them. Officials working at the morgue in the General Hospital in Port-au-Prince reported to MINUSTAH several cases of street children being shot dead by unidentified assailants. According to human rights groups and interviews conducted by MINUSTAH, among the perpetrators of the violence against children in the capital were individuals dressed in black, such as those who allegedly perpetrated the killings in the Fort National district in October 2004 (see S/2004/908, para. 13). This information has been corroborated through investigations conducted by the United Nations Children's Fund (UNICEF) and the Haitian Office of the Ombudsman. MINUSTAH's civilian police and human rights officers are currently carrying out investigations of several

cases of alleged human rights violations. Some of these investigations are b
conducted in cooperation with the General Inspectorate of HNP (see paras. 17
35). It is expected that the capacity of MINUSTAH in this area will soo
expanded to enable it to conduct a larger number of such investigations. C
members have also been involved in violence against children. Human r
organizations, local associations and medical staff at the main hospital inside
Soleil told MINUSTAH that, during the months prior to the MINUSTAH/
December 2004 operation in Cité Soleil, an estimated 30 to 40 children
reportedly died violent deaths in the shantytown in the context of gang viol
MINUSTAH has also received consistent testimony, including from eyewitne
which indicated that children have played an active role in gang-related activ
such as the torching and pillaging of residences, vehicles and shops.

V. Humanitarian situation and development

41. Following the tropical storm of 17 and 18 September 2004 (see S/2004/
paras. 34-38), relief operations continued, with the support of MINUSTAH tro
who provided security for humanitarian activities. The situation in Gonaïves
improved as a result of the coordinated efforts of the Transitional Governm
humanitarian organizations, United Nations agencies and MINUSTAH. Most b
services have been restored, but structural problems, already present before
disaster took place, will need to be addressed through more complex and long-
programming. Since the beginning of the humanitarian response in Gonaïves, no
4,000 metric tons of food commodities from the World Food Programme have b
distributed in the affected areas. Since November 2004, as Gonaïves and o
affected areas recovered from the disaster, general food distribution was gradu
replaced by targeted programmes. Approximately 2,000 people who lost their ho
continue to live in some 20 temporary shelters in Gonaïves, Port-de-Paix and o
affected areas. Humanitarian organizations have made efforts to improve their li
conditions, but a durable solution has yet to be found.

42. In November 2004, a National Commission for the Rehabilitation of Gona
was created by the Transitional Government to enhance the coordination o
rehabilitation programmes for the area and to incorporate national inputs, w
were substantial in the areas of water and sanitation, health and education.
7 January, the Prime Minister chaired a coordination meeting, attended by Un
Nations and donor representatives, during which the Transitional Governm
presented its priority rehabilitation requirements to ensure a rapid and sustain
rehabilitation of Gonaïves. Even though the focus of the operations has shifte
rehabilitation and reconstruction activities, there is still a need for contin
humanitarian assistance, particularly targeting vulnerable groups and communi
The United Nations flash appeal, launched in October 2004, remained underfun
As at 3 February 2005, only $13.7 million (approximately 36.9 per cent of the $
million requested) had been pledged.

43. The Interim Cooperation Framework, presented during the Internati
Donors Conference of July 2004 (see S/2004/698, para. 25), was a welcome
towards bringing together the objectives of the Transitional Government and th
of the international community. However, obstacles to its full implementa
remain. Particular concerns have been raised about slowness in project formulat
approval and implementation. This has been, in most cases, the result of the nee

comply with established rules and regulations, which are binding on both the Transitional Government and the donors.

44. In December 2004, progress in the implementation of ICF was reviewed during a donors meeting held in Washington, D.C., attended by my Special Representative. Donors commended the Transitional Government's achievements in stabilizing the economy and moving forward on economic governance. Participants at the meeting also agreed on several issues, including allocating priority funding to projects aimed at delivering quick results on the ground and creating jobs; strengthening the ICF sectoral round tables; identifying proper mechanisms to streamline and simplify disbursement procedures; and designing and implementing a comprehensive communications strategy with regard to ICF. There has been progress on all these issues since. In January 2005, the Transitional Government managed to settle all overdue service payments on loans, allowing both the World Bank and the International Monetary Fund to proceed with the implementation of their programmes in Haiti.

45. On 21 December 2004, the Mission's military component started a road rehabilitation project on an essential part of the road network, which leads to the four administrative departments located in the southern part of Haiti. The project has an estimated cost of €123,000 and is expected to be completed at the end of February. In addition, as of mid-January 2005, MINUSTAH had funded 47 quick-impact projects throughout the 10 administrative departments of Haiti. Particular emphasis has been placed on extremely poor areas hit by violence — including the shantytown of Cité Soleil in Port-au-Prince — where rehabilitation, sanitation and health programmes are being implemented. These programmes will expand when the security situation has further improved. The MINUSTAH civilian and military coordination team conducted a series of humanitarian and socio-economic activities in the administrative departments of the north and north-east, in close collaboration with local authorities. In addition to helping in the implementation of quick-impact projects in these regions, MINUSTAH troops based in Cap Haïtien have offered technical training in electricity, mechanics, food processing and other areas to local youths. In Fort Liberté, MINUSTAH troops built a new well and a water pump system for the community.

Gender

46. During the reporting period, MINUSTAH continued to participate in the development of the United Nations inter-agency national plan on violence against women, focusing on sexual violence. This work has brought together the Ministry for the Status of Women, women's organizations and representatives of the international community. In the framework of ICF, MINUSTAH participated in the first meeting of the Sectoral Round Table on Gender, which is responsible for ensuring that all sectoral round tables of ICF integrate a gender perspective into their work. MINUSTAH supported women's organizations in making recommendations on the draft electoral law that was presented by CEP. One of their recommendations was to grant a two-thirds reduction of the official fee required to register a candidate from a political party or coalition that has at least 30 per cent female candidates. This recommendation was accepted and incorporated into the electoral law.

Prevention of HIV/AIDS

47. The MINUSTAH HIV/AIDS Unit continued to provide relevant training and information to Mission personnel and to liaise with its national and international counterparts. During the reporting period, training was provided to 3,111 people (including MINUSTAH personnel and 496 HNP officers). MINUSTAH also participated in the ICF Sectoral Round Table on HIV/AIDS. On 1 December 2004, MINUSTAH participated in the commemoration of World AIDS Day in Haiti, in coordination with the Ministry of Public Health and Population and the Ministry for the Status of Women. Approximately 1,500 people attended the activities, including people living with HIV/AIDS and members of youth organizations.

VI. Coordination and cooperation with the Organization of American States, the Caribbean Community and other members of the international community

48. MINUSTAH continued to work closely with OAS in providing electoral assistance to CEP. On 11 January, my Special Representative addressed the OAS Permanent Council in Washington, D.C. He stressed the importance of the ongoing cooperation between the United Nations and OAS in support of the electoral process and of financial assistance to CEP. My Special Representative also briefed the OAS Permanent Council on recent military and police operations conducted by MINUSTAH, as well as the Mission's efforts to assist in preparations for a national dialogue.

49. My Special Representative continued to chair the regular fortnightly meetings of the Core Group, as well as special meetings as necessary. The Prime Minister and other Cabinet members attended the extraordinary meeting convened to discuss the operation planned to retake former President Aristide's residence in December.

50. The Caribbean Community (CARICOM) has continued to express support for the dialogue initiatives in Haiti, as well as humanitarian relief efforts, but it has not yet recognized the Transitional Government as a legitimate representative of Haiti within the organization. A CARICOM Conference of Heads of Government, attended by my Special Representative, was held on 16 and 17 February 2005 in Paramaribo to discuss regional issues, including the situation in Haiti.

VII. Mission support

51. MINUSTAH continued to experience operational difficulties due to the lack of an integrated headquarters. It remained located in several sites and continued to share common premises with several United Nations agencies in the UNDP compound in Port-au-Prince. As the intended integrated headquarters facilities offered by the Transitional Government on a rental-free basis were not cleared for security reasons, an alternative site has been selected. Renovation work in this building is ongoing, with the entire facility expected to be operational by the end of April 2005.

VIII. Observations

52. The fact that MINUSTAH has almost reached its full authorized strength has substantially enhanced its capacity to respond to security threats, producing noticeable results and thus contributing to the improvement of the security situation in the country. This is a welcome development, and I would like to express my deep gratitude to those Member States contributing troops and civilian police personnel to MINUSTAH.

53. However, the security situation remains precarious, and the possibility of outbreaks of violence cannot be ruled out. The illegal activities of various armed groups that challenge the authority of the State continue to be of concern, and it is essential to continue to pursue a firm and even-handed approach when dealing with them. Our mandated task of achieving a secure and stable environment, which may at times require the use of proportionate and necessary force, must remain at the forefront of our priorities.

54. A comprehensive and integrated disarmament, demobilization and reintegration programme must be implemented, together with immediate measures that promote security. I call upon the Transitional Government to establish the national commission on disarmament, demobilization and reintegration, and I hope that all armed groups and individuals, including former members of the military and their associates, will avail themselves of this opportunity. I would like to reaffirm the United Nations position that compensation payments should be linked to disarmament and entry into a comprehensive disarmament, demobilization and reintegration programme in order to ensure a durable solution. A piecemeal approach will only postpone problems, not address them.

55. The process of stabilization requires a safe and secure environment in which political, social and economic objectives can be actively pursued. Our success hinges upon our capacity to achieve progress simultaneously in all these areas. The work ahead will prove challenging, and we will need to redouble our efforts to continue to make progress. To do so, we must ensure and maintain effective cooperation and coordination among all stakeholders committed to achieving sustainable peace and stability and to supporting my Special Representative in his work to bring together the international community to work with the Haitian authorities in an integrated manner.

56. The political transition is at a sensitive phase as we enter 2005, and preparations for the elections must be accelerated. I welcome the adoption of the electoral law by the Transitional Government and look forward to the publication of the electoral calendar. Encouraged by the Prime Minister's invitation to Fanmi Lavalas, I call on all political parties and Haitian voters to join in the electoral process. I also reiterate the commitment of MINUSTAH to assisting the Transitional Government in this process.

57. In order to ensure the sustainability of the political process, national dialogue and reconciliation are essential. I hope that the official launching of the national dialogue, a key to the political transition and the consolidation of a democratic system, will take place soon. This process is for the benefit of the people of Haiti and therefore must be comprehensive and open, without exclusion, to all political forces and civil society groups that have renounced violence. The international community stands ready to assist them in this long-term endeavour.

58. I welcome the provisional release of several Fanmi Lavalas leaders and encourage the efforts made to expedite pending sensitive cases, such as that of former Prime Minister Yvon Neptune, and to ensure due process for all citizens. However, I remain concerned about the human rights situation, including allegations of human rights abuses attributed to HNP officers, which have not yet been properly investigated by the authorities. I call upon the Haitian authorities to redouble their efforts to immediately investigate allegations of human rights abuses and to take the appropriate action if allegations are substantiated. Impunity for human rights violations must end. To uphold the rule of law and ensure full respect for human rights, it is clear that Haiti needs to reform its institutions, especially in the administration of justice. I would like to reaffirm the readiness and commitment of MINUSTAH to assist the Transitional Government to this end and to support local organizations in their efforts to ensure accountability.

59. I welcome the agreements reached during the donors meeting in Washington, D.C., on 15 December 2004 on the streamlining of disbursement procedures, as well as the actions taken by some to release funds that have been pledged. The participation of MINUSTAH troops in reconstruction and development activities contributes to the normalization of everyday life. However, these measures cannot substitute for long-term development programmes. Socio-economic development must begin so that there is a tangible difference in the lives of the people of Haiti. I call upon the international community to work with the authorities and the people of Haiti to this end, and I urge the Transitional Government to develop concrete projects that could effectively utilize the assistance provided.

60. Much has been achieved in Haiti since the violence of last year. I should like to thank the Haitian people and the international community for their efforts that have made these achievements possible. I am grateful for the support of the Core Group in facilitating the implementation of the mandate of MINUSTAH and enhancing the effectiveness of the international community's assistance to Haiti. I should also like to reiterate my appreciation to my Special Representative, Juan Gabriel Valdés, his leadership team and the men and women who are part of the military, civilian police and civilian components of MINUSTAH for their dedication to carrying out their work in advancing the transitional process in Haiti. Finally, I would also like to extend my gratitude to the United Nations funds, agencies and programmes and to all other organizations, agencies, contributors and donors for their commitment.

Annex I

United Nations Stabilization Mission in Haiti: countries providing military staff and contingents (as at 15 February 2005)

Country	*Staff officers*	*Troops*	*Total*
Argentina	7	549	556
Benin	3	—	3
Bolivia	6	—	6
Brazil[a]	12	1 200	1 212
Canada	2	—	2
Chile	6	533	539
Croatia	1	—	1
Ecuador	—	66	66
France	3	—	3
Guatemala	1	70	71
Jordan	3	750	753
Morocco	1	163	164
Nepal	8	750	758
Paraguay	6	—	6
Peru	2	205	207
Philippines	—	135	135
Spain	—	200	200
Sri Lanka	1	750	751
United States of America	4	—	4
Uruguay	4	572	576
Total	**70**	**5 943**	**6 013**

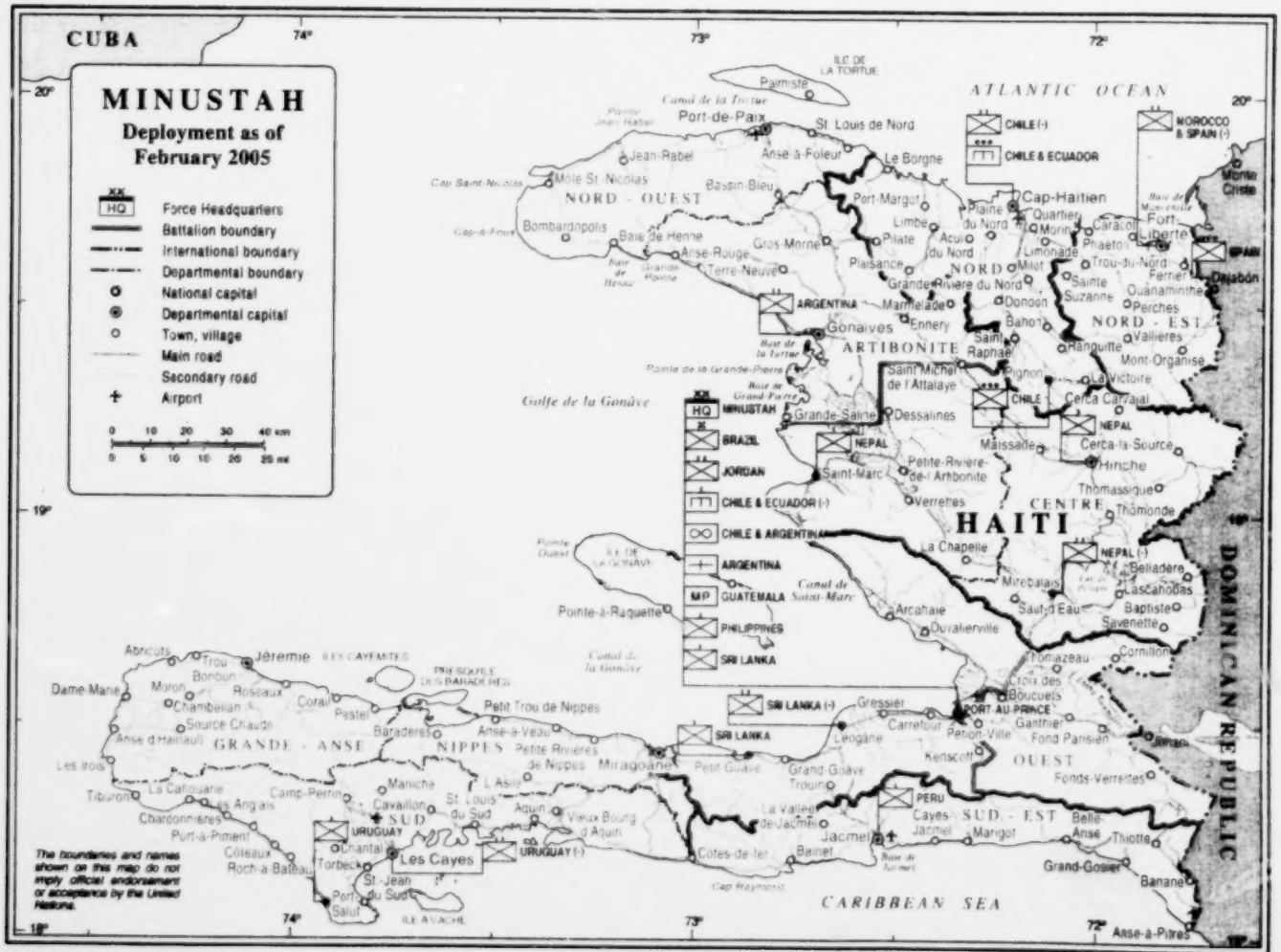
[a] Including the Force Commander.

Annex II

United Nations Stabilization Mission in Haiti: countries providing civilian police officers and formed police units (as at 15 February 2005)

Country	*Civilian police officers*	*Formed police units*	*Total*
Argentina	5	—	5
Benin	30	—	30
Bosnia and Herzegovina	12	—	12
Brazil	3	—	3
Burkina Faso	42	—	42
Cameroon	43	—	43
Canada[a]	99	—	99
Chad	19	—	19
Chile	38	—	38
China	8	125	133
Egypt	14	—	14
El Salvador	2	—	2
France	79	—	79
Ghana	27	—	27
Guinea	23	—	23
Jordan	4	250	254
Mali	8	—	8
Mauritius	2	—	2
Nepal	8	125	133
Niger	10	—	10
Nigeria	10	—	10
Pakistan	—	250	250
Philippines	10	—	10
Portugal	3	—	3
Romania	4	—	4
Senegal	51	—	51
Sierra Leone	5	—	5
Spain	30	—	30
Sri Lanka	3	—	3
Togo	4	—	4
Turkey	8	—	8
United States of America	25	—	25
Uruguay	9	—	9
Zambia	10	—	10
Total	**648**	**750**	**1 398**

[a] Including the Police Commissioner.


MINUSTAH
Deployment as of
February 2005
Force Headquarters
Battalion boundary
International boundary
Departmental boundary
National capital
Departmental capital
Town, village
Main road
Secondary road
Airport
CUBA
ATLANTIC OCEAN
CARIBBEAN SEA
HAITI
DOMINICAN REPUBLIC
NORD - OUEST
NORD
NORD - EST
ARTIBONITE
CENTRE
OUEST
SUD
SUD - EST
GRANDE - ANSE
NIPPES
Gulfe de la Gonâve
Canal de la Tortue
Canal de Saint-Marc
Canal de la Gonâve
ILE DE LA TORTUE
ILE A VACHE
LES CAYEMITES
PRESQU'ILE DES BARADERES
CHILE (-)
CHILE & ECUADOR
MOROCCO & SPAIN (-)
ARGENTINA
BRAZIL
NEPAL
JORDAN
CHILE & ECUADOR (-)
CHILE & ARGENTINA
GUATEMALA
PHILIPPINES
SRI LANKA
SRI LANKA (-)
URUGUAY
URUGUAY (-)
PERU
SPAIN
MINUSTAH
HQ
Port-de-Paix
St Louis de Nord
Anse-à-Foleur
Le Borgne
Cap-Haitien
Fort-Liberté
Ouanaminthe
Dajabón
Gonaïves
Saint-Marc
Verrettes
Petite-Rivière-de-l'Artibonite
Grande-Saline
Dessalines
Hinche
Thomassique
Thomonde
Mirebalais
Lascahobas
Savenette
Arcahaie
Croix des Bouquets
PORT-AU-PRINCE
Carrefour
Pétion-Ville
Kenscoff
Fonds-Verrettes
Jacmel
Cayes
Les Cayes
Jérémie
Dame-Marie
Anse-d'Hainault
Les Irois
Tiburon
Chardonnières
Port-à-Piment
Côteaux
Roche-à-Bateau
Torbeck
Chantal
Camp-Perrin
Cavaillon
Maniche
St Louis du Sud
Aquin
Vieux Bourg d'Aquin
Côtes-de-fer
Belle Anse
Thiotte
Grand-Gosier
Banane
Anse-à-Pitres
Miragoâne
Petite Rivière de Nippes
Petit Trou de Nippes
Petit Goâve
Grand-Goâve
Léogâne
Gressier
Ganthier
Fond Parisien
Jérémie
Abricots
Trou Bonbon
Moron
Chambellan
Roseaux
Corail
Pestel
Source Chaude
Baraderes
Anse-à-Veau
Petite Rivière de Nippes
Trouin
Les Anglais
Camp-Perrin
La Vallée de Jacmel
Bainet
Marigot
Jacmel
Mole St Nicolas
Bombardopolis
Baie de Henne
Anse-Rouge
Terre-Neuve
Gros Morne
Port-Margot
Limbe
Acul du Nord
Plaisance
Grande Rivière du Nord
Plaine du Nord
Quartier Morin
Limonade
Milot
Caracol
Phaeton
Trou-du-Nord
Sainte Suzanne
Ferrier
Perches
Vallières
Mont-Organisé
Ranquitte
Bahon
Saint Raphaël
Pignon
La Victoire
Cerca Carvajal
Cerca-la-Source
Marissade
Petite Rivière de l'Artibonite
Saint Michel de l'Attalaye
Mirebalais
Saut d'Eau
Baptiste
Savenette
Belladère
Lascahobas
Thomazeau
Cornillon
Ganthier
Fond Parisien
Fonds-Verrettes
Belle Anse
Thiotte
Grand-Gosier
Banane
Anse-à-Pitres
Pointe-à-Raquette
Pointe de la Grande-Pierre
Môle St Nicolas
Cap Saint-Nicolas
Cap-à-Foux
Cap Rhaymond
Pointe Jean-Rabel
Jean-Rabel
Baie de Henne
Baie de Grande Pointe
Baie de la Tortue
Baie de Grand-Pierre
Baie de Port-de-Paix
Baie de Manzanille
Baie de Jacmel
Pointe Ouest
Pointe Sud
Pointe Abacou
Pointe Maisi
Punta de Caleta
Punta de Maisi
Punta de Yacabo
Punta de Guantanamo
Punta de Mulas
Punta de Boca de Jauco
Punta de Boca de Nagua
Punta de Cabo Cabron
Punta de Cabo Engano
Punta de Cabo Samana
Punta de Cabo Frances Viejo
Punta de Cabo Isabela
Punta de Cabo Rojo
Punta de Cabo Beata
Punta de Cabo Falso
Punta de Cabo Tiburon
Punta de Cabo Dame Maria
Punta de Cabo Cruz
Punta de Cabo Lucrecia
Punta de Cabo Lucrecia
Punta de Cabo Lucrecia

United Nations A/59/713–S/2005/125

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Security Council

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General Assembly
Fifty-ninth session
Agenda item 163
The situation in the occupied territories of Azerbaijan

Security Council
Sixtieth year

Letter dated 24 February 2005 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

The date of 26 February 2005 will mark the thirteenth anniversary of the Khojaly genocide — a bloody crime against humanity committed by Armenian nationalists, the monstrous slaughter of the peaceful inhabitants of the town of Khojaly.

On the night of 25 to 26 February 1992, armed forces of the Republic of Armenia committed an unthinkable, brutal crime. They mercilessly massacred hundreds of helpless, innocent people. They did not spare even children, women or the elderly. As a result of the atrocities, 613 civilians, including old people, women and children, were murdered, 1,000 were disabled, and 1,275 persons were taken prisoner and subjected to unprecedented torture and humiliation. To this day, the fate of 150 persons is not known.

Various witnesses reported horrifying details of the massacre. The late Azerbaijani journalist Chingiz Mustafayev, who was the first to film the aftermath of the massacre, wrote an account of what he saw: "Some children were found with severed ears; the skin had been cut from the left side of an elderly woman's face, and men had been scalped."

The Russian human rights group Memorial reported that "scores of the corpses bore traces of profanation. Doctors on a hospital train in Aghdam noted no less than four corpses that had been scalped and one that had been beheaded ... and one case of live scalping".

Human Rights Watch called the tragedy at the time "the largest massacre to date in the conflict".

The *New York Times* wrote about truckloads of bodies and described acts of scalping.

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The Khojaly massacre was the culmination of hostilities against the civilian population. "Hundreds, possibly thousands, were slaughtered in a turkey shoot of civilians and their handful of defenders. There were 477 that (one) day, a number that did not include those missing and presumed dead" — according to accounts of those events by a freelance journalist, Thomas Goltz.[1]

As despicable as it may sound, the reason behind this unseen savagery is revealed by Defence minister of Armenia Serge Sarkissian in his interview to British journalist Tomas de Waal: "Before Khojaly the Azerbaijanis thought that ... the Armenians were people who could not raise their hands against the civilian population. We were able to break that [stereotype]."[2] No comments.

Regrettably, the international community's response was not adequate. Recently, the matter has been raised in the United States House of Representatives. It was exactly this insufficient reaction to which Congressman Dan Burton of Indiana drew the attention of his colleagues in his statement on 17 February 2005: "Ironically and tragically, none of these Members has ever once mentioned the ethnic cleansing carried out by the Armenians during the Armenia-Azerbaijan war which ended a mere decade ago." He concluded with the following appeal: "This is not the ringing condemnation that the survivors of Khojaly deserve, but it is an important first step by an international community that has too long been silent on this issue. Congress should take the next step and I hope my colleagues will join me in standing with Azerbaijanis as they commemorate the tragedy of Khojaly. The world should know and remember."

This year, as they have every year since the massacre, the residents of Khojaly, who managed to survive the massacre, issued an appeal to the United Nations, the Organization for Security and Cooperation in Europe and the Council of Europe, the text of which I have the honour to submit to you, and patiently expect them to take appropriate steps to hold the perpetrators of this crime responsible.

The date of 26 February was proclaimed as Day of Khojaly Genocide and National Mourning by a decision of the Milli Majlis (Parliament) of the Republic of Azerbaijan. A minute of silence is kept every year on 26 February at 5 p.m. to honour the memory of the victims of the Khojaly genocide.

The moral consciousness of the world demands that this massacre be adequately accounted for as an act of genocide and that its victims be remembered just as those of Baby Yar, Khatyn and Srebrenica.

I should be grateful if you would have the present letter and its annex distributed as a document of the General Assembly, under item 163 of the agenda, and of the Security Council.

(*Signed*) Yashar **Aliyev**
Ambassador
Permanent Representative

[1] **Thomas Goltz**, *Azerbaijan diary*, p. 150.
[2] **Tomas de Waal**, *Black Garden* (NYU Press, 2003), p. 85.

Annex to the letter dated 24 February 2005 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Appeal of refugees from Khodjaly to the United Nations, the Council of Europe and the Organization for Security and Cooperation in Europe

The aim of our appeal to such influential organizations as the United Nations, the Council of Europe and the Organization for Security and Cooperation in Europe, is to bring the truth on the genocide which was committed in February 1992 in Khodjaly of the Nagorno-Karabakh region of the Republic of Azerbaijan, to the attention of the world community and to call for making a legal-political assessment of this crime.

Everybody, who has an idea of the history of Azerbaijan, knows that Khodjaly, a settlement founded 3,000 years ago in the mountainous part of Karabakh, is one of the oldest settlements of Azerbaijanis. Rare exhibits and unique historical monuments revealed by archaeological excavation are vivid proof.

In order to realize their plan of creating "Great Armenia", Armenians, who erected a monument in 1978 on the occasion of the 150th anniversary of their movement to Azerbaijan from Iran, had pursued a consistent policy of aggression against Azerbaijan in the last two centuries, with the assistance of their foreign accomplices, and committed such crimes against humanity as terrorism, omnicide, deportation and genocide.

Numerous historical documents prove that the millions of Azerbaijanis suffering ethnic cleansing and genocide in 1905-1907, 1918-1920, 1948-1953 in their historical ethnic territories were murdered in massive numbers and obliged to flee from their native lands.

Finally, Armenian separatism and groundless territorial claims against Azerbaijan were raised again in 1988 and the Nagorno-Karabakh conflict started. Two hundred fifty-thousand Azerbaijanis to the last man, were deported from Armenia, and hundreds of civic persons were brutally killed. Consequently, Armenia became a mono-ethnic country, which was a long-cherished dream of the Armenians.

Unfortunately, the former Soviet leadership and civilized world remained indifferent to this conflict, the barbarity of the Armenians and the terrible plight of the Azerbaijanis. Encouraged by this indifference, Armenians successfully committed historical crime and genocide against Azerbaijanis. Twenty per cent of the territory of Azerbaijan, including seven regions around Nagorno-Karabakh, was occupied by Armenian armed forces, more than 1 million Azerbaijanis expelled from native lands, tens of thousands of people killed, disabled and taken hostage. Hundreds of settlements, thousands of houses, education and health institutions, historical-cultural monuments, mosques, temples, and cemeteries were destroyed, once more proving Armenian vandalism.

In the first years of the conflict, the tragedy and terrorism committed by Armenians against the Azerbaijani population of Karabakh in the villages of Kerkijahan, Mesheli, Koushjular, Karadaghly and Aghdaban, and finally the

Khodjaly genocide, are the historical stigma of the "suffering and miserable" Armenians.

We bring with regret to the attention of the world community that the Khodjaly genocide was another link in the chain of great human calamities of the twentieth century such as Khatyn, Hiroshima, Nagasaki and Songmi.

On 26 February 1992, Armenian armed forces, with the direct participation of the Motorized Infantry Regiment 366 of the former Soviet Union in Khankendi (Stepanakert), attacked Khodjaly from five directions. At that very time, 3,000 people remained in the town. Armenians had been keeping Khodjaly under complete siege during the previous four months. The population was in need of food and medicines. There were a number of sick, wounded, aged men, women and children in the town.

Armenians, with the assistance of their foreign accomplices, destroyed and burned the town with the heavy military equipment of Regiment 366. Innocent people were murdered, with children, women, the elderly and the sick being subject to awful tortures and mutilation. Armenians committed a very grave historical crime — the Khodjaly genocide against the Azerbaijanis at the end of the twentieth century, before the eyes of civilized humankind. The aim of this action was the omnicide of Khodjaly residents. The majority of the residents remained alive only accidentally to witness the tragedy.

In this genocide, 613 peaceful residents were murdered and 1,275 taken hostage. The fate of 150 people is still unknown. One thousand people were disabled, with 83 children, 106 women and 70 elderly among the killed. Seventy-eight of the mutilated were minor boys and girls.

As a result of this military-political crime, members of six families were murdered to the last man, 25 children lost both parents, and 130 children lost one of them. Fifty-six people were burned with special cruelty, tortured, beheaded, and blinded, ears, noses cut, pregnant women bayoneted.

It is difficult to imagine that this brutality and savageness, not having any match in history, was committed by human beings at the end of the twentieth century, before the eyes of humankind. But humanity should be aware that the perpetrators of this crime, committed against not only Azerbaijanis but all of mankind, are the "suffering and miserable" Armenians.

For 13 years we, the residents of Khodjaly, living the life of refugees, have appealed to all peaceful peoples and international organizations of the world, with heartache mixed with high hope. We beg you not to remain indifferent and neglect our sufferings and all the tragedy resulting from the Armenian military aggression. We do not believe that such authoritative organizations as the United Nations, the Council of Europe and the Organization for Security and Cooperation in Europe, as well as powerful nations, are incapable of bringing Armenia, a State that defies the civilized international community, to justice.

We are convinced that the world community, condemning the military aggression of Azerbaijan by Armenia, will assist in restoration of the territorial integrity of Azerbaijan, the return of more than a million refugees and internally displaced persons to their homes, and the solution to the Armenia-Azerbaijan

conflict over Nagorno-Karabakh in a peaceful manner and in consonance with historical and political justice.

We, the residents of Khodjaly, met with profound grief the awful act of terrorism committed on 11 September 2001, which resulted in thousands of casualties. That terrible human tragedy took us back to the gory events of 26 February 1992. We, along with many thousands of Azerbaijani refugees, have suffered similar tragedy ourselves, and still live in miserable and severe conditions in tents, coaches, underground caves and vaults.

We, having suffered one of the most terrible tragedies of the twentieth century, call the peoples of the world to struggle together for peace and order. We, sounding the alarm to all international organizations, peaceful and authoritative nations, call upon humankind to mobilize to settle all conflicts on the Earth and to struggle for a free and prosperous community of people living in peace and order!

We, the witnesses of Khodjaly genocide, who miraculously outlived the tragedy, condemning all kinds of genocide and terrorism against humanity, once more appeal with high hope to the United Nations, the Council of Europe, the Organization for Security and Cooperation in Europe and the civilized world community, and call for rendering a legal and political assessment of the Khodjaly genocide.

The appeal was adopted at the general gathering of refugees from Khodjaly region on 19 February 2005.

United Nations S/2005/126

Security Council

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25 February 2005

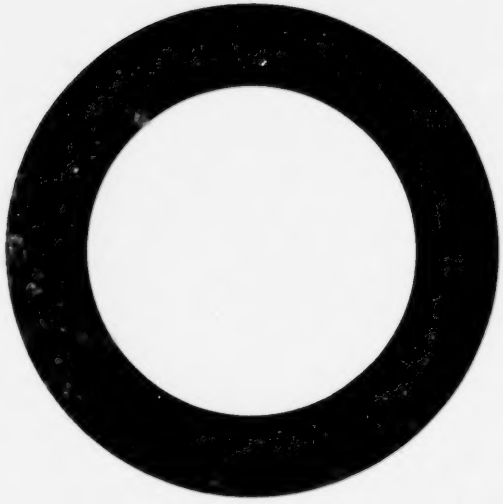
Original: English

Letter dated 18 February 2005 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I would be grateful if you could arrange for the present letter and its annex, containing the list of participants in the CTC/CIS special meeting from 26 to 28 January 2005, with relevant contact details, to be circulated as a document of the Security Council.

(*Signed*) Andrey I. **Denisov**
Chairman
Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

05-25202 (E) 100305



Annex to the letter dated 18 February 2005 from the Chairman of the Counter-Terrorism Committee addressed to the President of the Security Council

List of participants in the CTC/CIS special meeting, 26 to 28 January 2005, with relevant contact details

I. International, regional and subregional organizations and bodies

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Asian Development Bank (ADB) Ms. Aliya Mukhamedyarova Economic Programme Officer	Ms. Aliya Mukhamedyarova Programs Officer Asian Development Bank Tel: 7 3172 325053 Fax: 7 3172 328343 adbkarm@adb.org
Asian-African Legal Consultative Organization (AALCO) H.E. Mr. Bhagwat Singh Ambassador and Permanent Observer of the Asian-African Legal Consultative Organisation to the United Nations	H.E. Mr. Bhagwat Singh Ambassador and Permanent Observer of the Asian-African Legal Consultative Organisation to the United Nations 404 East 66th Street Apt 12C New York N.Y. 10021 Tel: 1 212 734 7608 Fax: 1 212 734 7608 bhagwat@un.int

Bank for International Settlements (Basel Committee on Banking Supervision) Mr. Charles Freeland Deputy Secretary-General Mr. Jozef Van't dack	Mr. Charles Freeland Deputy Secretary-General Basel Committee of Banking Supervision Bank of International Settlements Centralbahnplatz 2 Basel Switzerland CH-4002 Tel: +41 61 280 8058 Fax: +4161 280 9100 charles.freeland@bis.org
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Central Asian Cooperation Organization (CACO) Mr. Muhtor Sharipov Deputy to the Minister of Security of Tajikistan Mr. Ikbarsho Iskanderov Ambassador Extraordinary and Plenipotentiary of Tajikistan in Kazakhstan Mr. Bobojon Samadov Head of Department of the Apparatus of the Security Council of Tajikistan	Mr. Muhtor Sharipov Deputy of the Minister of Security of Tajikistan Central Asian Cooperation Organization Tel: 9923372 211520 Fax: 9923372 232312 Mr. Bobojon Samadov Head of Department of the Apparatus of Council of Security of Tajikistan Tel: 9923372 213683 Fax: 9923372 210842

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Commonwealth of Independent States (CIS) Mr. Vladimir Rushaylo Chairman of the CIS Executive Committee Mr. Assan Kozhakov Deputy Chairman of the CIS Executive Committee Mr. Oleg Putintsev Director of the Department of security affairs and cooperation in countering crime and terrorism Mr. Ivan Kotlobai Head of Division Mr. Ivan Yurkin Head of the Division for countering terrorism and drug-related violence Mr. Petr Halkevich Counsellor	Mr. Vladimir Rushaylo Executive Secretary Commonwealth of Independent States Build.1, 39, Myasnitskaya Str., Moscow, 107450, Russian Federation Tel: 37517 222 3434 Fax: 37517 226 1944

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Commonwealth of Independent States (CIS) Anti-Terrorism Center Colonel-General Boris A. Mylnikov Head of the Counter-Terrorism Center Head of the Anti-Terrorism Center Mr. Beksultan Sarsekov	Colonel-General Boris A. Mylnikov Head of the Counter-Terrorism Center Head of the Anti-Terrorism Center Commonwealth of Independent States (CIS) Ilyinka Street 10 103132 Moscow, Russia

Mr. Alexander Popov Director, Office on Coordination of the Fight against Organized Crime Mr. Serguei Fridinskiy Deputy General Prosecutor of Russia	
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Letter dated 24 February 2005 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to resolution 827 (1993) of 25 May 1993, by which the Security Council established the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.

Article 13 and article 13 ter of the statute of the Tribunal, as amended, provide as follows:

"**Article 13**
"**Qualifications of judges**

"The permanent and *ad litem* judges shall be persons of high moral character, impartiality and integrity who possess the qualifications required in their respective countries for appointment to the highest judicial offices. In the overall composition of the Chambers and sections of the Trial Chambers, due account shall be taken of the experience of the judges in criminal law and international law, including international humanitarian law and human rights law.

"**Article 13 ter**
"**Election and appointment of ad litem judges**

"1. The *ad litem* judges of the International Tribunal shall be elected by the General Assembly from a list submitted by the Security Council in the following manner:

"(a) The Secretary-General shall invite nominations for *ad litem* judges of the International Tribunal from States Members of the United Nations and non-member States maintaining permanent observer missions at United Nations Headquarters.

"(b) Within sixty days of the date of the invitation of the Secretary-General, each State may nominate up to four candidates meeting the qualifications set out in article 13 of the Statute, taking into account the importance of a fair representation of female and male candidates.

"(c) The Secretary-General shall forward the nominations received to the Security Council. From the nominations received the Security Council shall establish a list of not less than 54 candidates, taking due account of the

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adequate representation of the principal legal systems of the world and bearing in mind the importance of equitable geographical distribution.

"(d) The President of the Security Council shall transmit the list of candidates to the President of the General Assembly. From that list the General Assembly shall elect the 27 *ad litem* judges of the International Tribunal. The candidates who receive an absolute majority of the votes of the States Members of the United Nations and of the non-member States maintaining permanent observer missions at United Nations Headquarters shall be declared elected.

"(e) The *ad litem* judges shall be declared elected for a term of four years. They shall not be eligible for re-election.

"2. During their term *ad litem* judges will be appointed by the Secretary-General, upon request of the President of the International Tribunal, to serve in the Trial Chambers for one or more trials, for a cumulative period of up to, but not exceeding three years. When requesting the appointment of any particular *ad litem* judge, the President of the International Tribunal shall bear in mind the criteria set out in article 13 of the Statute regarding the composition of the Chambers and sections of the Trial Chambers, the considerations set out in paragraph 1 (b) and (c) above and the number of votes the *ad litem* judge received in the General Assembly."

Pursuant to paragraph 1 (a) of article 13 ter of the statute of the Tribunal, States Members of the United Nations and non-member States maintaining permanent observer missions at United Nations Headquarters were invited, by means of a letter dated 16 December 2004, to submit nominations for 27 *ad litem* judges of the Tribunal and were informed that, within 60 days of the date of that letter and not later than 14 February 2005, they might nominate up to four candidates meeting the qualifications set out in article 13 of the statute of the Tribunal.

They were informed that, should they decide to nominate two or more candidates, they were then at liberty, should they wish to do so, to nominate candidates of the same nationality. They were also informed that they were at liberty, should they wish to do so, to nominate a candidate or candidates who were of the same nationality as a permanent judge of the Tribunal.

They were further advised that, should they decide to nominate a candidate or candidates, in accordance with paragraph 1 (b) of article 13 ter of the Tribunal's statute, they should take account of the importance of a fair representation of female and male candidates.

Pursuant to paragraph 1 (c) of article 13 ter of the statute of the Tribunal, I have the honour herewith to forward to the Security Council the 11 nominations which have been received from States Members of the United Nations within the 60-day period specified in paragraph 1 (b) of article 13 ter of the statute. The list of candidates,* in alphabetical order, is annexed to this letter, together with the curricula vitae which have been provided to me in connection with their nominations.

* Circulated only to the members of the Security Council.

I would draw the attention of the Security Council to paragraph 1 (c) of article 13 of the statute of the Tribunal, which provides in part as follows: "From the nominations received the Security Council shall establish a list of not less than 54 candidates, taking due account of the adequate representation of the principal legal systems of the world and bearing in mind the importance of equitable geographical distribution."

I would note that the attached list of candidates is short of the minimum number of 54 which is required by paragraph 1 (c) of article 13 ter of the statute of the Tribunal. I would accordingly suggest that the Security Council extend the deadline for nominations until 31 March 2005. If the Security Council were so to extend the deadline, I would notify States Members of the United Nations and non-member States maintaining permanent observer missions at United Nations Headquarters accordingly.

(*Signed*) Kofi A. **Annan**

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Letter dated 25 February 2005 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

I have the honour to forward ideas and proposals delivered by President Omar Hassan Ahmed Albashir, before the N'djamena Summit on the situation in Darfur, held on 16 February 2005 (see annex).

I would highly appreciate it if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Elfatih **Erwa**
Permanent Representative

05-25130 (E) 020305

Annex to the letter dated 25 February 2005 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

Proposals on the situation in Darfur delivered by President Omar Hassan Ahmed Albashir before the N'djamena Summit on 16 February 2005

The Government of the Sudan considers the role of the African Union in achieving peace in Darfur as a true challenge to both Africa and the Sudan. Accordingly, the Sudan is keen to achieve that end.

The Government of the Sudan highly appreciates the initiative of convening this Summit aiming at creating better circumstances for achieving peace, and presents the following proposals as a genuine contribution in support of the efforts.

The proposals comprise five components: expediting the negotiation process, enhancing the security situation, strengthening the African Union mission, the humanitarian situation and the political dialogue.

A. Expediting the negotiation process

This goal could best be achieved through:

1. Forcing the rebels to comply immediately with the ceasefire and refrain from road blocking in accordance with the provisions of the N'djamena Agreement.

2. Resumption of negotiations in Abuja as soon as possible, preferably before the end of February 2005.

3. The forthcoming round of talks should concentrate on the political dimension of the problem.

4. The two rebel movements should be represented by their highest leadership in the upcoming round of talks.

5. Countries participating in the present Summit are requested to form a supportive team of high-level representatives during the talks.

B. Enhancing the security situation

1. The Government of the Sudan, in conformity with its sovereign and constitutional responsibilities towards its citizens, reiterates its commitment to ensure compliance with and reinforcement of the ceasefire in Darfur. Previous experiences of implementing the Ceasefire Agreement in the Nuba Mountains and the Cessation of Hostilities in Southern Sudan provide a solid evidence of the ability and the will of the Government to fulfil its commitments.

2. The Government is the primary beneficiary of the ceasefire and the prevalence of peace, order and the rule of law. No Government tolerates the insecurity which threatens the very existence of Governments, States and communities.

On the contrary, the rebels are benefiting from instability and insecurity with the intention of maintaining continuous pressure on the Government who is the party responsible and accountable before international law.

3. The Government of the Sudan believes that the appropriate approach to address the security situation is to identify the active armed elements in Darfur in such a way that responsibility is accurately decided.

To achieve this, the Government calls for the adoption of a realistic and objective criterion to identify the armed actors in Darfur. In our view they are:

(a) Government forces, including the armed forces, the police forces, security forces and popular defence forces.

(b) The Popular Defence Forces (PDF) are paramilitary forces that are mobilized when there is a threat to the national security. They were established in accordance with regulations pre-dating the existing Government, and are under the command and control of the armed forces.

(c) The armed civilians among the tribes. Possession of arms in Darfur is a sociocultural phenomenon that is traditionally associated with manhood. The vast region and the diversified methods of earning a living contributed to illegal possession of arms. The frequency of tribal conflicts escalated the quest for possessing arms, and the tradition of cooperation and mutual support among tribal communities (known as tribal call) created an impression that those elements are forming an organized militia, bearing in mind the fact that this tradition is present in other activities such as agriculture and harvesting.

(d) Rebel armed groups. They include forces of the Sudan Liberation Movement, the Justice and Equality Movement and the Movement for Reform and Development.

(e) Armed bandits and outlaws. Those are criminal bandits from different tribes who continue to undermine security and stability.

The reality is that the aforesaid are the key players in Darfur. In this respect, the Government wishes to emphasize the following.

4. Government forces have suspended all attacks and have been directed to exercise utmost self-restraint.

5. We have decided to withdraw air bombers from Darfur.

6. The Government forces were instructed not to approach disputed areas. In this connection, the Government has decided to withdraw its forces from Labado, Gireida and Marla, although those areas were not under the rebels' control before last April.

7. The Government will continue to secure roads in order to ensure the flow of humanitarian assistance and commercial activity in close cooperation with the Ceasefire Commission of the African Union.

8. The Government will also continue to strengthen the civil police presence in Government controlled areas, facilitate the signing of reconciliation agreements between different tribes as well as protect the civilians and consolidate law and order.

9. Desirous of normalizing the situation, the Government has demobilized 30 per cent of PDF in response to the Darfur action plan signed between the Government and the United Nations on 5 August 2004. As a goodwill gesture before this Summit, the Government will further demobilize another 20 per cent of PDF, hence

totalling 50 per cent. Eventually demobilization will continue as security threat decreases, depending on:

(a) A commitment by the rebels to respect the ceasefire and to refrain from attacking villages and expanding their presence in rural areas.

(b) Resumption of negotiations in good faith.

The demobilization will come to zero level when rebels start implementing the resolution of the African Union Summit held in Addis Ababa in July 2004, in particular, the identification of the areas they occupy and the cantonment of their forces as well as the N'djamena Ceasefire Agreement of 8 April 2004.

10. As for the armed civilians among the tribes, the Government proposes the following measures:

(a) Such process is gradual, and would begin with identifying arms with a temporary legalization.

(b) Restriction of arms possession leading to a total control over these arms.

(c) Encouraging tribal reconciliation and a culture of peace.

(d) After eradicating security tension, and the establishment of law and order, a quest for possessing arms would not exist.

A high-level body will start the collection of arms. The collection will be carried out through enforcement and the use of incentives, in addition to programmes such as development against arms and other programmes of civil integration.

11. Paving the way for normalizing civil life in Darfur, the Government will apply further measures forbidding the wearing of military uniform by civilians.

12. The Government will sign a memorandum of understanding with the International Committee of the Red Cross for the supervision of the exchange of war detainees.

13. With a view to creating a conducive atmosphere for the peace negotiations, the Government will release detainees arrested in the context of the conflict in Darfur.

These measures, together with further steps to strengthen the role of the African Union and the completion of the deployment of its forces in Darfur, represent two thirds of the way to the stabilization of the security situation in Darfur. The remaining third is the cantonment of the rebels in sites agreed upon in accordance with the African Union Summit decision in Addis Ababa of July 2004, and the provisions of the N'djamena Agreement of 8 April 2004.

14. The full implementation of this process will place the Government in a better position to control the other destructive activities of the armed robbery bandits.

C. Enhancement of the role of the Ceasefire Commission

1. The Government of the Sudan underscores the vital role played by the Ceasefire Commission and expresses its appreciation and gratitude to all those who have contributed to this process in terms of financial and material support.

2. To strengthen the role of the Ceasefire Commission, we have to work together to accomplish the deployment of the agreed size of the African Union mission. Africa will be proud of the ownership and success of this mission. In this regard, we suggest the following quick plan of action:

(a) The Government will contribute logistic support (transportation and communications) to the African Union mission.

(b) A joint approach by the Government of the Sudan and the African Union towards sisterly and friendly countries to secure support and participation in the African Union mission.

(c) The African Union should take immediate contacts with Western donor countries to ensure fulfilment of their declared pledges.

(d) We will remain open towards any further proposals for the enhancement of this mission.

3. In the light of the actual performance of the African Union mission on the ground, the Government of the Sudan has some concerns, such as:

(a) A basic concern is that the African Union mission action plan should be more consistent with the agreed principle in the N'djamena Agreement and other relevant agreements that the African Union mission should not interfere with the sovereignty of the Sudan.

(b) The effectiveness and the need to strengthen the joint Ceasefire Commission.

(c) The information and media activities of the mission.

4. We consider it appropriate to make use of similar ceasefire experiences, especially the implementation of the Ceasefire Agreement in the Nuba Mountains in the Sudan, or any other relevant situations.

5. We deem it necessary that President Konary and the African Union Peace and Security Council convene an urgent meeting in which our competent organs could participate and seek means to address these concerns in a spirit of partnership.

D. The humanitarian situation

1. The Government of the Sudan had spared no efforts to meet the immediate humanitarian needs in the Darfur states. Financial support and resources that have been donated by citizens were allocated to accompany the endeavours and the international support in encountering the crisis. The levels of malnutrition, diseases and epidemics were fortunately addressed and under control with the substantial support in terms of food supplies, clothing, drugs, shelter, clean water and vaccination measures, which were made available in due course of time.

2. Despite these commendable efforts, the rebel movements repeatedly hindered humanitarian works by attacking the humanitarian convoys and workers, looting 227 trucks transporting humanitarian relief and 16 trucks were confiscated, in addition to the killing and kidnapping of many relief workers. These acts of evident violations of the Ceasefire Agreement have been condemned by the international community.

3. In this respect, we consider that the African leaders, the African Union, the United Nations and the international community should put more pressure on the rebels to ensure full compliance with the ceasefire and the humanitarian protocol signed under the auspices of the African Union and to facilitate the flow of humanitarian assistance to the affected population.

E. The political dialogue

1. The comprehensive peace agreement signed with the Sudan People's Liberation Army in Nairobi, on 9 January 2005 and its principles of power and wealth sharing, provides the basis for the settlement of political and economic problems in all parts of the Sudan, including the settlement of the crisis in Darfur.

2. The Government of the Sudan is committed to a final settlement on the basis of the following principles contained in the comprehensive peace agreement.

3. Adoption of a formula of an advanced system of the Federal Government as an ideal system for the different states in the Sudan. This system will guarantee the following:

(a) Adoption of a constitution for each state to be superseded only by the National Constitution.

(b) States will enjoy an expanded economic and political decision-making power.

(c) Free and fair elections for both executive and legislative bodies of States.

(d) Equitable participation of States in the central Government institutions, in particular the executive and legislative bodies.

(e) Establishment of an independent judiciary.

(f) Establishment of an independent and active civil service.

(g) Agreement on a just formula of wealth sharing, which will enable each State to have a fair share.

(h) Establishment of a development and rehabilitation commission to meet the necessary development needs.

(i) Realization of viable reconciliation among the population of Darfur with a view to restoring the social fabric and the peaceful coexistence of the different tribes in the region.

(j) Addressing the impacts of the war with particular emphasis on the needs of refugees and internally displaced persons.

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Note by the Secretary-General

The Secretary-General has the honour to transmit to the Security Council the twentieth quarterly report on the activities of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) (see annex). It is submitted by the Acting Executive Chairman of UNMOVIC in accordance with paragraph 12 of Security Council resolution 1284 (1999) of 17 December 1999.

05-24976 (E) 030305

Annex

Twentieth quarterly report on the activities of the United Nations Monitoring, Verification and Inspection Commission in accordance with paragraph 12 of Security Council resolution 1284 (1999)

I. Introduction

1. The present report, which is the twentieth[a] submitted in accordance with paragraph 12 of Security Council resolution 1284 (1999), covers the activities of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) during the period from 1 December 2004 to 28 February 2005.

II. Developments

2. During the period under review, the Acting Executive Chairman has continued the practice of briefing the respective Presidents of the Security Council, representatives of Member States and officials of the Secretariat on the activities of UNMOVIC. In February, he also travelled to Vienna for discussions with the Director General of the International Atomic Energy Agency (IAEA) and the Iraq Nuclear Verification Office. In addition, he has travelled to London and Paris for consultations with officials in the respective Governments.

3. As part of its ongoing investigations into the removal of items, equipment and materials from Iraq (mainly as scrap) that were subject to UNMOVIC monitoring, the Commission made enquiries of all of Iraq's neighbours whether any such items, equipment or materials had found their way into or through their countries. The responses of Jordan, Turkey and Kuwait have previously been reported, as has follow-up action in this regard in Jordan. Since then a communication has been received from the Permanent Representative of the Syrian Arab Republic confirming a previous statement to the effect that "no relevant scrap from Iraq had passed into or through Syria". No responses have been received as yet from the Governments of the Islamic Republic of Iran and Saudi Arabia.

4. UNMOVIC imagery analysts have continued the ongoing review of the status of sites subject to inspection and monitoring in Iraq. Of the 411 sites inspected in the period from November 2002 until March 2003, Commission experts have acquired and examined post-war high-resolution imagery covering 353 sites, including those considered the most important. As part of the examination and analysis, experts have determined that approximately 70 of the sites were subjected to varying degrees of bomb damage.

5. In previous quarterly reports, UNMOVIC noted the reported looting and razing of sites that contained dual-use equipment and materials subject to monitoring, some of which have been discovered outside Iraq. The continuing examination of site

[a] The Commission's 19 previous reports were issued as documents S/2000/516, S/2000/835, S/2000/1134, S/2001/177, S/2001/515, S/2001/833, S/2001/1126, S/2002/195, S/2002/606, S/2002/981, S/2002/1303, S/2003/232, S/2003/580, S/2003/844, S/2003/1135, S/2004/160, S/2004/435, S/2004/693 and S/2004/924.

imagery has revealed that approximately 90 of the total 353 sites analysed containing equipment and materials of relevance have been stripped and/or razed. Commission experts have also noted that repairs and new construction have begun at 10 sites.

III. Other activities

6. The Commission has continued its work on the draft of the compendium of Iraq's proscribed weapons and programmes with the intention of completing its first draft in March 2005. Some preliminary lessons drawn from this ongoing work reflecting the progress achieved so far have been presented to the College of Commissioners.

Small quantities

7. In its last quarterly report (S/2004/924), the Commission mentioned its intention to examine adjustments to the focus of the monitoring procedures for Iraq with respect to small quantities of weapons of mass destruction. While they may not be of military significance, they may be of potential interest to non-State actors. The Acting Executive Chairman further explained the Commission's thoughts during informal consultations of the Council on 7 December 2004 in the context of the Council's review of that report.

8. A working group of UNMOVIC technical experts was convened to prepare an initial study concerning this issue, and to review the history of incidents involving small quantities of biological and chemical agents. The study would serve as the basis for a more in-depth assessment of the matter within UNMOVIC, including possible implications for ongoing monitoring and verification in the chemical and biological areas. The group considered the types and range of small quantities of agents; the capabilities needed for the acquisition of such quantities, including quantity of precursors and capacity of equipment; and the possible chokepoints for acquiring, producing and transporting small quantities of agents for weapons of mass destruction or associated primary precursors.

9. Among the potential chokepoints identified were acquisition of materials, either precursor chemicals or biological material, as well as the agents themselves; practical expertise and experience in the production/synthesis of chemical or biological weapons and associated precursors; technical knowledge of the appropriate release or dissemination mechanisms for the agents for substantial effectiveness; minimum safety and personal protection equipment; and chemical agent antidotes for certain chemical weapon agents.

10. It was noted that the ongoing monitoring and verification regime for Iraq included within its scope the monitoring of small-scale production activities in the biological and chemical disciplines and that relevant materials (except for growth media) were currently subject to notification through the export/import monitoring mechanism approved by the Security Council in resolution 1051 (1996). However, it was possible that small quantities of such materials could be acquired through clandestine procurement networks. A possible source of chemical precursor material could also be the chemical mixtures that are traded internationally and exempted from export control on the basis of a concentration threshold. Accordingly, and as an initial observation, the group felt that some changes in emphasis and reporting

thresholds outlined in the ongoing monitoring and verification regime might be needed. The regime may require more activity-based monitoring of sites and less reliance on specific quantities (number, volume etc.) as triggers; that is, it would be "quantity independent".

Information technology system

11. UNMOVIC continues to enhance its information technology system for inspectors and analysts. The integration of large volumes of high-resolution satellite imagery and the site inspection database has reduced the time required to plan, prepare and conduct inspections. Data collected during inspections is entered into an inspection reporting application, which then contributes to the production of inspection reports. The site database is automatically updated with the latest inspection data and is thus available for the next inspection.

12. A secure electronic archive system has brought the searching for and retrieval of information up to the latest standards. Detailed, in-depth search tools allow for more focused queries with more manageable results in a much quicker time frame. The latest generation of analytical tools also makes it possible to graphically display linkages between a large number of database elements (sites, materials, equipment etc.). These enhancements have made UNMOVIC more responsive and efficient in its analysis, planning and operations. An appendix to this report sets out in more detail the Commission's information technology system and capabilities.

Biological seed stocks

13. In its last quarterly report to the Council, the Commission stated that it shared the concerns raised in the report of the Iraq Survey Group with respect to the fate of biological agent seed stocks in Iraq and that the issue remained a verification concern.

14. The term "seed stock" is used to refer collectively to reference strains of micro-organisms provided by culture collections (a unique library of strains), as well as to master and working seed stocks. A micro-organism used as a reference strain is one which has been isolated and its characteristics have been defined. A reference strain of micro-organism is cultured and used to produce vials of master seed. One vial of reference strain may produce many more vials — possibly a hundred — of master seed. Master seeds are usually maintained in order to ensure that all successive preparations of products are derived from the source to minimize the chance of mutation and/or variation of a product. Each master seed vial can be used to produce many working seed vials. Cultures of working seeds are then used in biological production processes.

15. In 1991, Iraq declared to the Special Commission that it had obtained 103 vials of bacterial isolates (reference strains) from foreign suppliers, and provided details on the individual types, source, year of importation and quantities. Of the 103 imported vials, 13 were declared to have been used, while 90 were provided to the Special Commission unopened. As can be seen from the table, a number of vials of isolates were used by Iraq in its biological weapons programme.

Micro-organism	*Number of declared vials used*	*Number of sealed, unused vials given by Iraq to the United Nations in 1991*
Bacillus anthracis	4	16
Bacillus megaterium	1	6
Bacillus subtilis	1	5
Clostridium botulinum A	3	8
Clostridium perfringens	3	15

The non-pathogenic *Bacillus megaterium* and *Bacillus subtilis* share some characteristics with *Bacillus anthracis* and may be substitutes for the actual live agent for testing purposes, for instance in production calibration or dissemination studies. Iraq also declared the import of a number of pathogenic and non-pathogenic isolates that were acquired within, but not used in, its biological weapons programme. Forty vials of such isolates were handed over to the Special Commission, unopened. Iraq also declared that one vial of *Brucella melitensis* (pathogenic) had been used in academic research.

16. The Special Commission was able to verify parts of Iraq's declarations with respect to its use and subsequent destruction of master and working seed stocks. However, the Special Commission had noted that accounting for all seed stock vials obtained from open vials would be virtually impossible as they could have been widely distributed as secondary seed stock throughout Iraq.

17. As a consequence, the issue remains as part of the residue of uncertainty with respect to the continued existence in Iraq of seed stocks that could possibly be used in the future for the production of biological weapon agents. Given its unresolvable nature, the issue could best be dealt with through monitoring to detect inter alia any possible future activity associated with biological weapon agent production or significant related laboratory research work.

IV. Other issues

Field offices

18. UNMOVIC retains a core staff of nine local nationals in Baghdad who maintain the existing offices, laboratories and other equipment at the Canal Hotel. As a result of their ongoing inventory of equipment in the Canal Hotel in Baghdad, UNMOVIC has been able to write off lost and destroyed equipment through the United Nations Headquarters Property Survey Board.

19. The Cyprus field office has been reduced to four staff members. It continues to provide for storage and maintenance of inspection and monitoring equipment, and could be used as a staging area for staff and logistics support should inspections resume. Whenever appropriate, the staff of the field office has continued to work with Customs in Larnaca, facilitating shipments of other United Nations agencies, and to provide logistics support to flight operations of the United Nations Assistance Mission for Iraq (UNAMI) and to the United Nations Peacekeeping Force in Cyprus (UNFICYP). The Acting Executive Chairman visited the field office early in December and discussed the status of the field office in Cyprus with

the Permanent Secretary of the Foreign Ministry, who gave assurance of support. The Acting Executive Chairman also reviewed the new office space at the airport.

Contracts with laboratories providing analytical services

20. The Procurement Service has undertaken the extension of existing contracts to provide analytical laboratory services during 2005.

Staffing

21. Core UNMOVIC staff in the Professional category at Headquarters at present total 51 weapons experts and other personnel drawn from 25 nationalities, 9 of whom are women.

Technical visits, meetings and workshops and assistance to United Nations bodies

22. Two members of staff attended the ninth Conference of States Parties to the Chemical Weapons Convention, as observers. In addition, they held discussions with experts of the Organization for the Prohibition of Chemical Weapons on declaration formats and visited the Organization's laboratory and equipment stores to discuss sampling and analytical methods as well as equipment storage methods to ensure long-term viability.

23. At the request of the Office for the Coordination of Humanitarian Affairs and the Cartographic Section of the Department of Peacekeeping Operations, UNMOVIC imagery interpretation experts have been helping a number of United Nations agencies through the processing of satellite imagery provided to them covering the Indian Ocean area affected by the December 2004 earthquake and tsunami. UNMOVIC experts have created a master set of Landsat enhanced satellite images to provide the basis for the accurate mapping and analysis of the region. The experts processed 84 Landsat-7 tiles covering the entire area as well as 250 high-resolution detailed images of parts of the affected area and 27 maps of the western part of Sumatra. All the data is managed in a geographic information system and made available online to the relevant agencies.

Training

24. A two-day seminar was conducted in New York on 15 and 17 February to obtain a better understanding of the infrastructure, equipment and materials that could be involved in small-scale production of chemical and biological warfare agents.

25. The preparations have been completed for the second missile enhanced training course to be conducted in Germany from 7 to 18 March. The main objective of this course is to develop with the roster inspectors practical skills for inspection and monitoring of dual-use production equipment and capabilities.

26. UNMOVIC conducted an in-house seminar for its biological experts in conjunction with a biotechnology company on DNA-based analysis as a potential verification tool. The experience gained by law enforcement and human rights monitors in processing large quantities of DNA-based samples can be applied to DNA extracted from plants and micro-organisms. The latest advances in DNA extraction and processing technologies were discussed and how these techniques can be applied to the activities of UNMOVIC.

V. College of Commissioners

27. The UNMOVIC College of Commissioners convened in New York for its eighteenth regular session on 23 and 24 February. As on previous occasions, observers from the International Atomic Energy Agency and the Organization for the Prohibition of Chemical Weapons attended.

28. The Acting Executive Chairman briefed the Commissioners on the activities of UNMOVIC since their last meeting. Presentations were made to the College on some lessons learned in the framework of the compendium, on work done by Iraq on the smallpox vaccine, on the results of the panel of biological experts convened in 2004 to discuss possible relevant revisions to the monitoring plan and on the Commission's imagery capabilities.

29. The College welcomed the comprehensive oral statement of the Acting Executive Chairman in which he dealt inter alia with confirmation of disarmament, ongoing monitoring and the possible need for end-use verification of imports of dual-use items into Iraq for a defined period. It also welcomed the presentations made. There was interest in convening a panel of experts to consider possible revisions to the missile provisions of the monitoring plan. The College reiterated its support for the UNMOVIC roster and the maintenance of the existing experience and expertise.

30. The College discussed the issues raised by the Chairman in his oral statement which might affect the mandate of the Commission, noting the work of the Iraq Survey Group and recent developments, including the election held in January in Iraq. The College recognized that many of the issues, including the mandate, were ultimately matters for the Security Council to decide. The College encouraged the Chairman to continue to take a proactive approach within the current mandate and supported the Commission's ongoing activities, such as work on the compendium, examination of revisions to the ongoing monitoring and verification plan and training.

31. It was decided to hold the next meeting on 24 and 25 May 2005 in New York.

32. In accordance with paragraph 5 of resolution 1284 (1999), the Commissioners were consulted on the contents of the present report.

Appendix

UNMOVIC information system

Introduction

1. Following the establishment of the United Nations Monitoring Verification and Inspection Commission by the Security Council in December 1999, it was quickly realized that, in order to analyse and draw conclusions from the eight years of work by its predecessor, the United Nations Special Commission, and prepare for future inspections in Iraq, a much more dynamic information technology system would be required. It was also recognized that much of the data previously provided by Iraq, as well as that collected by the Special Commission, contained some very sensitive as well as proprietary information that required careful handling and a secure storage medium.

2. Accordingly, UNMOVIC constructed both a secure local area network and a wide area network that are "stand-alone", that is, have no linkages to any outside computer networks. The system utilizes encryption between computers and networks.

3. When the information technology system was designed, care was taken to ensure that the system was multifaceted and able to respond to the changing and diverse needs of the substantive disciplines.

4. The evolution to the current system in use took several steps, each building botn on what UNMOVIC inherited and on its own accomplishments. The work was completed within the framework of an information technology strategy adopted by senior management.

Overview of the UNMOVIC information system

5. The information system currently in use supports UNMOVIC activities in a variety of ways, from the ability to store large amounts of data submitted, to the analytical processing and comparison of new information against historical data. The system itself consists of five main subsystems, which work closely together to create a flexible, responsive information system. The five subsystems are: Intranet, archives and search engine; site, inspection and declaration system; the geographical information system; analytical tools and the underlying information and communication technology infrastructure.

Intranet, archives and search engine

6. As there are a large number of information tools available, a central access portal (Intranet) was built to give inspectors and analysts a consistent starting point to access all available information and to receive information about the system as well as updates.

7. The UNMOVIC archives are first and foremost the physical collection of documents inherited from the Special Commission and all documents resulting from the execution of the mandated tasks of UNMOVIC. This expanding collection occupies about 1,500 linear feet, roughly 1 million pages and a wide variety of videos, photographs and audio tapes from inspections as well as overhead imagery.

8. A substantial part of this information was produced electronically and is not always available on paper. This includes some declarations made by the Government of Iraq to UNMOVIC, information collected during the inspections, analytical reports produced by UNMOVIC staff members, and imagery and data entered into the UNMOVIC databases. The UNMOVIC electronic archives represent over 900 gigabytes of data, enough to fill 1,300 CD-ROMs.

9. In addition to the daily ongoing work, documents are still being categorized, translated and digitized, many of which were acquired from the Commission's predecessor in paper form.

10. To manage this collection, UNMOVIC uses an off-the-shelf document management system which allows UNMOVIC to systematically catalogue every record produced and received, and to manage the electronic and paper records.

11. Finding a particular document can be achieved in one of two ways:

(a) Searching the title of a document or any other additional information (metadata) that was stored together with the document at the time the document was archived. The additional information that can be searched may consist of the document number, notes, site number the document pertains to, the particular physical repository, creation date, archived date, disciplines and document type (multimedia, inspection reports, Iraqi documents etc.) and author.

(b) Searching for a document that contains a particular word or concept. A simple word search has very serious limitations when dealing with documents containing complex technical information. The UNMOVIC search engine also looks at the relationships between all the words of all the documents and weighs them according to a sophisticated algorithm. When searching for a particular word, the search engine also catalogues and analyses other words that appear together with the search word in all other documents. The result set, therefore, would also include documents without the search word, but containing the words that are statistically related to the search word. The result set can be narrowed or broadened according to the user's wishes.

(c) The UNMOVIC search engine can produce "topic sets" or predetermined searches. For example, if an inspector or analyst searches for the word "anthrax" appearing in the same paragraph of the document as the word "vaporizer", but not related to the word "agricultural", he or she can do that directly. There are currently three topic sets in use at UNMOVIC; they were custom-designed in cooperation with the analysts and inspectors.

(d) The UNMOVIC search engine is also able to produce knowledge trees, which are hierarchical representations of the data, allowing the user to select folders and subfolders containing the desired information. These knowledge trees can be based on metadata fields (such as weapons discipline name or type of record) or based on abstract concepts. The knowledge trees greatly enhance the ability of UNMOVIC to cross-examine information, distinguish hidden patterns and quickly access details. Some of the knowledge trees used to refine and narrow the search for specific information are, for example, equipment by supplier company, equipment by material of construction, or equipment by weapons discipline. Additionally, the knowledge trees are used to refine the search for specific information, for example, by type of document (inspection report, declarations, open source information etc.) or by the physical location of the document.

Site, inspection and declaration system

12. The UNMOVIC information system deals with more than documents. A significant amount of information about facilities capable of producing or using materials falling under the Commission's mandate is stored in a large database. The UNMOVIC database was designed to be flexible and adaptive; it can be changed by modifying data in the database without having to resort to reprogramming the system.

13. The site database can be populated (filled/updated) in several ways. A new site information set can be created on the basis of information received, for example in an Iraqi declaration. This information relates to the physical aspects of the site (coordinates, address, location, buildings, equipment, materials, processes, capabilities etc.) and also to the internal and external organization of the site (point of contact, owner, parent organization etc.). Each time a new piece of information is entered or added to the database, a reference to an archived document or source of the new information can be added. Thus, most information in the database has documentary evidence (or a "paper trail") associated with it.

14. The UNMOVIC database includes information from inspections. The inspection data is closely related to the site information. This allows the site database to be fed directly from inspection results.

15. The site and inspection database is also used for planning, operational and analytical purposes. Inspection and monitoring schedules can be generated on the basis of past inspections. "Pre-inspection" documents can be generated to assist in the planning of missions and also to produce "inspection packages" to be used by the inspectors during a mission.

16. At the end of an inspection, the inspectors enter the data collected into the inspection report system. This system is then used to generate standard inspection documents. All documents collected during the inspection are imported into the archives. The site database is updated with the latest inspection findings and changed data is "tagged" with the inspection number, thereby providing a reference to the source of the data. The old data is stored in the database history and can be used to "backtrack" the information.

17. UNMOVIC has recently prototyped an application to collect declaration data electronically. In the past, Iraq's declarations were submitted on paper or electronically in a non-structured format, which made the analysis labour intensive. The new declaration system is fully integrated in the site database and inspection system and will provide for the automatic detection of changes (differential analysis) in declared information. In addition, the information provided in the first declaration can be used to feed the site database. This can significantly simplify the process of the initial population of the site data.

18. The UNMOVIC Intranet contains tools for performing detailed searches of the contents of databases:

- **Interview search system**. An application through which inspectors and analysts can search a series of past interviews and discussions with Iraqi personnel. They may search the actual text of the interviews and also find interviews with a particular participant.

- **Building information**. A search application that allows the user to view building information at a site. The inspectors and analysts can input the site number and then select the desired buildings or simply type in the building number directly. This is a complex search that retrieves the following information: basic building information, such as name, current use, description, photographs, location etc., and a list of equipment by location within the building, containing links and detailed information on each piece of equipment, including photographs, dimensions, uses, category, status etc. UNMOVIC is further extending this part to include links to past inspection reports that contain this item, in an attempt to create an equipment history; a list of materials, including suppliers and customers for each material, quantity, activities that used this material, and capabilities; and activities conducted in the building, including personnel involved, type of activity, material used etc.

- **Equipment search**. UNMOVIC has also developed an equipment search system that provides the user with the ability to perform accurate and specific searches for information contained in the "equipment" portion of the database, including the ability to narrow the search by site(s), manufacturer, equipment type, status of the equipment, weapons discipline, quantity, dimensions, serial number, model, description, comments, supplier, location within the site etc.

Geographic information system

19. High-quality satellite imagery has increasingly become commercially available. Such imagery was relied on by the inspectors in the planning and execution of missions. In order to strengthen the inspection process, UNMOVIC has developed a geographic information system which fully integrates imagery and maps with the site database. An analyst can expand a map of Iraq to the level of individual buildings and query the contents of a particular building. An inspector can use the same tool to plan a mission. The UNMOVIC geographical database contains almost 1 million geographical features like highways, ditches, land subject to flooding, wells, pipelines etc. Some of this data can be invaluable during the preparation of inspection missions.

20. The easily accessible high-quality imagery allows UNMOVIC to periodically procure and process new imagery of the same location. This allows analysts to perform "change detection" and analysis of major infrastructure at sites so that modifications can be identified and the database updated to improve inspection planning.

21. The combination of high-quality digital elevation models and satellite imagery can produce virtual 3-dimensional renditions of a site and surrounding landscape, thereby giving the inspectors an additional operational tool.

Analytical tools

22. Complex information systems make it difficult to find and correlate data, and for this reason, UNMOVIC utilizes analytical tools used by law enforcement agencies to find relationships between data elements in the database. The system can highlight linkages between seemingly unrelated entities. For example, it can show that linkages exist between sites by identifying that they have similar equipment or share the same personnel.

23. A large amount of monitoring data generated by remote sensors and cameras from different sites can be collected to a central depository. Specialized software enables the inspectors to quickly and efficiently review and authenticate that data. The monitoring equipment can be remotely accessed and controlled, allowing for real-time monitoring.

24. In order to ensure a rapid deployment of inspectors, UNMOVIC has set up a fully functional smaller version of the information system for training purposes. The inspectors on the roster as well as headquarters staff are being trained in the use of the systems used in UNMOVIC.

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The situation in the Middle East

Measures to eliminate international terrorism

Security Council
Sixtieth year

Letter dated 28 February 2005 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General

I am writing to draw your attention to the most recent terrorist attack perpetrated against the citizens of Israel. As you know, there have been recent positive developments in the region, and those responsible for this latest attack are cynically working to eliminate the promise that they hold.

On 25 February 2005, at 11.20 p.m. local time, a Palestinian suicide bomber blew himself up on the busy Tel Aviv Promenade, just as youths were going out for the night. Five people were killed, all of them waiting to enter a nightclub — Yitzhak Buzaglo, Aryeh Nagar, Ronen Reuvenov, Odelia Hobera and Yael Orbach, who carried with her invitations for her wedding to distribute to her friends. Over 50 more were injured, many of them teenagers. The notorious terrorist organization Islamic Jihad announced responsibility for the attack from its headquarters in Damascus, Syria. This organization, which operates in Palestinian Authority territory, and enjoys safe haven and support from the Syrian regime, is responsible for literally tens of terrorist attacks, that have claimed hundreds of innocent lives and wounded thousands more.

At this promising but sensitive time, it is incumbent on the Palestinian leadership, if it is serious about peace, to reject those forces who seek to destroy any hopes of peace, and to act to eliminate terrorist organizations, as it is obligated and equipped to do. Talk of ceasefires is not enough. There are no shortcuts: the terrorist infrastructure must be systematically and decisively dismantled. The very first clauses of the road map (S/2003/529, annex) make this obligation abundantly clear by calling upon the Palestinian leadership to "declare an unequivocal end to violence and terrorism and undertake visible efforts on the ground to arrest, disrupt, and restrain individuals and groups conducting and planning violent attacks on Israelis anywhere", and to engage in "sustained, targeted, and effective operations

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aimed at confronting all those engaged in terror and dismantlement of terrorist capabilities and infrastructure".

Until this happens, Palestinian terrorist groups represent a ticking time bomb for the peace process, posing a direct threat not only to the innocent Israelis that they target but to the rekindled hopes of both peoples.

Despite the toll in Israeli lives claimed by this most recent attack, Israel continues to exercise restraint and hopes that the new Palestinian leadership will finally meet its obligations and adopt a policy of zero tolerance for terrorism. Israel is engaging in a serious effort to renew the peace process, and has proved ready to live up to its own obligations, but it will not and cannot tolerate an absence of genuine and uncompromising Palestinian efforts to fully eradicate the Palestinian terrorist campaign. No Government can negotiate by day, and have its citizens murdered by night.

Further, those States, such as Syria and Iran, that countenance and support terrorist organizations like Hamas, Islamic Jihad and Hizbollah are irresponsibly and deliberately attempting to demolish the region's fragile hopes for peace. The international community must ensure an immediate end to this dangerous and destructive behaviour. For too long, these regimes have enjoyed impunity regarding the terrorism that they notoriously foster, support and glorify. The failure to hold these regimes fully accountable for their embrace of terrorism is a direct threat to peace, to the legitimate aspirations of both the Israeli and Palestinian peoples, and to the stability of the region as a whole.

As is common knowledge, the Syrian regime, in violation of its most fundamental legal obligations, including those stipulated in Security Council resolutions 1373 (2001) and 1566 (2004), continues to offer safe harbour and support to groups that are notorious for their acts of deliberate murder against innocent civilians. Islamic Jihad is only one such organization. Despite repeated calls from the international community, Syria continues to consider itself exempt from the fight against terrorism.

Israel calls upon the international community to reaffirm its absolute rejection of terrorist tactics, and to accept nothing less than the complete dismantling of terrorist organizations, as well as unyielding efforts by all States in the region to prevent terrorism and bring its perpetrators and supporters to justice, in accordance with international law and Security Council resolutions, in particular resolution 1373 (2001), as well as the road map.

I submit the present letter in follow-up to numerous letters detailing the campaign of Palestinian terrorism launched in September 2000, which document the crimes for which the terrorists and their supporters must be held fully accountable.

I should be grateful if you would arrange to have the text of this letter circulated as a document of the fifty-ninth session of the General Assembly, under agenda items 148 and 36, and of the Security Council.

(*Signed*) Ambassador Daniel **Carmon**
Deputy Permanent Representative
Chargé d'affaires a.i.